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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,028	06/27/2001	Paul Karlstedt	975.340USW1	5698

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EXAMINER

CHO, UN C

ART UNIT PAPER NUMBER

2687

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,028

Applicant(s)

KARLSTEDT ET AL.

Examiner

Un C Cho

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21, 25 and 27 – 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syed et al. (US 6,038,451) in view of Nakamura (US 6,085,096).

Regarding claim 21, Syed discloses monitoring the location of a mobile unit within the mobile telecommunications network using location information generated by, and available for the network, the monitoring being effected by querying data corresponding to the location of the mobile station from a location register of the network (Syed, Col. 2, lines 53 - 58); comparing the monitored location with a predetermined location within the network (Syed, Col. 2, lines 59 - 62); judging whether the monitored location corresponds to the registered locations (Syed, Col. 2, lines 38 – 42).

However, Syed does not specifically disclose sending a predetermined voice or data message from said network to another terminal. In an analogous art, Nakamura discloses sending a predetermined voice or data message from the network to another terminal (Nakamura, Col. 5, lines 45 – 67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Nakamura to the system of Syed in order to provide a mobile communication system which can restrict the use of a mobile unit in places where troubles may be caused by radio waves radiated from mobile units and in places where speech communication makes the people around the mobile units uncomfortable.

Regarding claim 25, Syed in view of Nakamura as applied to claim 21 above discloses that the home location register has record of the location of each mobile unit present within the range of an associated mobile services switching center is kept (Syed, Col. 4, lines 63 – 67).

Regarding claim 27, Syed in view of Nakamura as applied to claim 21 above discloses that another terminal is a predetermined subscriber terminal (a registered wireline terminal, Syed, Col. 3, lines 37 – 40).

Regarding claim 28, Syed in view of Nakamura as applied to claim 27 above discloses that the predetermined terminal (registered wireline terminal) has been registered to receive a value added service (Syed, Col. 3, lines 40 – 43).

Regarding claim 29, Syed in view of Nakamura as applied to claim 28 above discloses that the request contains at least an identification of the predetermined terminal (registered wireline terminal) and location information for the predetermined terminal (registered wireline terminal) (Syed, Col. 3, lines 43 – 50).

Regarding claim 30, Syed in view of Nakamura as applied to claim 29 above discloses defining the predetermined location based on the location information for the predetermined terminal (Syed, Col. 3, lines 40 – 50).

Regarding claim 31, Syed in view of Nakamura as applied to claim 21 above discloses that the location information available for the network is cell information (Syed, Col. 3, lines 59 – 61).

Regarding claim 32, Syed in view of Nakamura as applied to claim 21 above discloses that the location information available for the network is location area information (Syed, Col. 3, lines 59 – 61).

Regarding claim 33, the claim is interpreted and rejected for the same reason as set forth in claim 21.

Regarding claim 34, the claim is interpreted and rejected for the same reason as set forth in claim 21.

4. Claims 22 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syed in view of Nakamura and further in view of Stenman et al. (US 6,223,029).

Regarding claim 22, Syed in view of Nakamura as applied to claim 21 above does not specifically disclose a data message being a SMS message. In an analogous art, Stenman discloses data message being a SMS message (Stenman, Col. 7, lines 33 – 35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Stenman to the modified system of Syed and Nakamura in order to provide the mobile station with dual functionalities so that it is able to provide normal telephony functions and act as a remote control unit for a variety of peripheral devices accessible through some type of local area communication system or related communication system.

Regarding claim 23, Syed in view of Nakamura and further in view of Stenman as applied to claim 22 above discloses a control signal for remotely controlling peripheral device assigned to another terminal (Stenman, Col. 7, lines 49 – 52).

Regarding claim 24, the claim is interpreted and rejected for the same reason as set forth in claim 23.

5. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Syed in view of Nakamura and further in view of Brennan et al. (US 5,329,578).

Regarding claim 26, Syed in view of Nakamura as applied to claim 21 above does not specifically disclose that the message is transmitted only within a predetermined time range. In an analogous art, Brennan discloses that a

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predetermined message is transmitted only within a predetermined time range (Brennan, Col. 6, lines 53 – 64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Brennan to the modified system of Syed and Nakamura in order to provide a personal communication system which can be easily integrated with a network and be able to offer incoming call management and communication mobility while making use of the network based features.

Response to Arguments

6. Applicant's arguments with respect to claims 21 – 34 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C Cho whose telephone number is (703) 305-8725. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (703) 306-3016. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ELISEO RAMOS-FELICIANO
PATENT EXAMINER

Un C Cho
Examiner
Art Unit 2687

3/4/05 uc